

REMARKS

Reconsideration is requested of the rejection of claims 1, 3-8 and 10-14 under 35 U.S.C. § 103(a) as the “obvious” incorporation of the Kennedy et al patent dedicated data channels into the location position system of the patent to Giniger et al –particularly as these claims have been currently amended.

Neither of the reference patents discloses or even suggests applicant’s inventive concept that

“through the use of two different communication channels to provide voice on one and service data only on the other, there is only one telephone required by the consumer or user and only one telephone bill involved in the delivery of the services through managing the voice and data at the control center” (page 3 of the specification).

Nor do either of the references even hint at, let alone disclose, the further novel “broadening features” described on pages 4 and 5 and elsewhere in applicant’s specification.

The Office, indeed, concedes that

“Giniger fails to specifically teach using a data path or channel, which is separate from the voice channel for transmitting the radio signal from the control center as well...”

The Office also points out that the patent to Kennedy only discloses the concept that

“data messages may be sent or received from a messaging unit over a dedicated data channel or use a single telecommunications line to provide both voice and data”--

the latter being, indeed, a far cry from applicant’s “service data only” earlier quoted.

It is believed that nowhere in either patent is there actually a disclosure or the slightest hint of applicant’s concept or the novel results attainable thereby, and that even the Office-proposed combination and modification of reference systems can only be derived by impermissible “hindsight” obtained solely from applicant’s disclosure

But even were such proposed “combination” proper, the amendments to all the claims clearly distinguish from any possible such combination.

Referring, for example, to amended claim 1, it specifies first that applicant’s “cellular radio voice channel path” (P-1-C1) to the CCG call center (C), is “at a cellular phone network frequency”;

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that applicant's "separate data radio channel path separately communicating with said network operations control center" is along a *different frequency* (3, 4-C2-C);

that applicant's "transponder (T)" at the vehicle receives a "radio wake-up signal" from the control center over such a "different frequency" channel path (C2-3) which causes the GPS receiver GPS to receive location data from the GPS satellite constellation over the "GPS satellite constellation location data transmission frequency";

that applicant's "microprocessor module" then enables the "processed location data" to be transmitted "over such different frequency data channel path to said control center" (4-C2-C);

and that applicant's control center C, "communicating the transmitted location data received at the control center with the user voice call request (P-1-C1-C) at the control center (C)", then sends the "location services information from the control center to the user over the cellular radio frequency voice channel path (C-C1-1-P)".

No matter what dedicated data channels disclosed in the Kennedy et al patent may be proposed by the Office for incorporation in the location information system of Giniger et al, clearly no such different-frequencied system is achieved, as now more clearly delineated in claim 1.

Similar amendments in independent claims 5 and 8 distinguish over any possible combination of the references, such also being thus incorporated in remaining dependent claims 3, 4, 6, 7 and 10-14.

Allowance of all the claims accordingly appear clearly to be indicated and is therefore respectfully solicited.

Any costs incurred by this amendment, and the Request for Continued Examination (RCE), including also for required time extension(s), petition for which is hereby requested, may be charged to account No.18-1425 of the undersigned attorneys.

Very Respectfully,

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